



#9/Election/EOT
2/12/04
a.s.

566.39819X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): K. TSUNEHARA, et al

Serial No.: 09/786,459

Filed: September 10, 2001

For: METHOD FOR CONTROLLING TRANSMIT POWER IN A
COMMUNICATION SYSTEM

Group: 2684

Examiner: T. Lele

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Technology Center 2600

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 2, 2004

Sir:

The following is in response to the December 31, 2003 Office Action in which the Examiner alleges that restriction under 35 USC §121 is required and requested Applicants to elect one of the alleged inventions.


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In response to the restriction requirement Applicants hereby elect without
traverse invention Group I, 1-10, 12 and 14 for further prosecution on the merits.

Accordingly, an Office Action examining claims 1-10, 12 and 14 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (566.39819X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



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